

JS44 (Rev. 5/05 NDGA)

## CIVIL COVER SHEET

1:07-CV-1762

The JS44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

-GET

## I. (a) PLAINTIFF(S)

Andrew J. Perlmutter

## DEFENDANT(S)

Reed Elsevier, Inc. d/b/a LexisNexis

## (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF

(EXCEPT IN U.S. PLAINTIFF CASES)

## COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT

(IN U.S. PLTF. CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

## (c) ATTORNEYS (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

John L. Monroe, Jr. and Jaclyn C. Platten  
Ford & Harrison, LLP  
1275 Peachtree Street, NE, Suite 600  
Atlanta, GA 30309

## ATTORNEYS (IF KNOWN)

Mark L. Keenan and Brennan W. Bolt 404-443-5657  
McGuire Woods, LLP  
1170 Peachtree Street, NE, Suite 2100  
Atlanta, GA 30309

## II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. GOVERNMENT PLAINTIFF  
☐ 2 U.S. GOVERNMENT DEFENDANT  
☐ 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY)  
☒ 4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) (FOR DIVERSITY CASES ONLY)

- | PLF                                   | DEF  | PLF                        | DEF   |
|---------------------------------------|--|----------------------------|---|
| <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 CITIZEN OF THIS STATE                   | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE                |
| <input type="checkbox"/> 2            | <input type="checkbox"/> 2 CITIZEN OF ANOTHER STATE                | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE |
| <input type="checkbox"/> 3            | <input type="checkbox"/> 3 CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 FOREIGN NATION   |

## IV. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 ORIGINAL PROCEEDING ☒ 2 REMOVED FROM STATE COURT ☐ 3 REMANDED FROM APPELLATE COURT ☐ 4 REINSTATED OR REOPENED ☐ 5 TRANSFERRED FROM ANOTHER DISTRICT (SPECIFY DISTRICT) ☐ 6 MULTIDISTRICT LITIGATION ☐ 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT

## V. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. §§ 1332 and 1441

(IF COMPLEX, CHECK REASON BELOW)

- |   |   |
|---|---|
| <input type="checkbox"/> 1. Unusually large number of parties.            | <input type="checkbox"/> 8. Problems locating or preserving evidence.                 |
| <input type="checkbox"/> 2. Unusually large number of claims or defenses. | <input type="checkbox"/> 7. Pending parallel investigations or actions by government. |
| <input type="checkbox"/> 3. Factual issues are exceptionally complex.     | <input type="checkbox"/> 8. Multiple use of experts.                                  |
| <input type="checkbox"/> 4. Greater than normal volume of evidence.       | <input type="checkbox"/> 9. Need for discovery outside United States boundaries.      |
| <input type="checkbox"/> 5. Extended discovery period is needed.          | <input type="checkbox"/> 10. Existence of highly technical issues and proof.          |

CONTINUED ON REVERSE

## FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_ APPLYING FP \_\_\_\_\_ MAG. JUDGE (FP) \_\_\_\_\_  
JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_ NATURE OF SUIT \_\_\_\_\_ CAUSE OF ACTION \_\_\_\_\_  
(Referral)

GET

190

28:1441bc

SIGNATURE OF ATTORNEY OF RECORD

DATE  
7/26/07

1. ☐ PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
2. ☐ SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
3. ☐ VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
4. ☐ APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERE TO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
5. ☐ REPETITIVE CASES FILED BY PREVIOUS UNANTS.
6. ☐ COMPANION OR RELATED CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)).
7. ☐ EITHER SOME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. \_\_\_\_\_, WHICH WAS DISMISSED, THIS CASE ☐ IS ☐ IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

DOCKET NO. \_\_\_\_\_

## VIII. RELATED/REFILED CASE(S) IF ANY

JURY DEMAND ☐ YES ☐ NO (CHECK YES ONLY IF DEMAND IN COMPLAINT)☐ CHECK IF CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ \_\_\_\_\_

## VII. REQUESTED IN COMPLAINT:

**VI. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)**

☐ CONTRACT - 12 MONTHS DISCOVERY TRACK

☐ 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT

☐ 152 RECOVERY OF DEFAULTED

☐ 153 RECOVERY OF OVERPAYMENT OF STUDENT LOANS (EXCL. VETANS)

☐ 154 RECOVERY OF OVERPAYMENT OF VETERANS BENEFITS

**CONTRACT - 12 MONTHS DISCOVERY TRACK**

☐ 110 INSURANCE

☐ 120 MARINE

☐ 130 MILLER ACT

☐ 140 NEGOTIABLE INSTRUMENT

☐ 141 MEDICARE ACT

☐ 160 STOCK-EXCHANGERS SUITS

☐ 180 OTHER CONTRACT

☐ 190 CONTRACT PRODUCT LIABILITY

☐ 198 FRANCHISE

**REAL PROPERTY - 12 MONTHS DISCOVERY TRACK**

☐ 210 LAND CONVEYANCE

☐ 220 FORECLOSURE

☐ 230 RENT LEASE & EJECTMENT

☐ 240 TORTS TO LAND

☐ 245 TORT PRODUCT LIABILITY

☐ 250 ALL OTHER REAL PROPERTY

**TORTS - PERSONAL INJURY - 12 MONTHS DISCOVERY TRACK**

☐ 310 AIRPLANE

☐ 315 AIRPLANE PRODUCT LIABILITY

☐ 320 ASSAULT, BATTERY & SLANDER

☐ 330 FEDERAL EMPLOYERS LIABILITY

☐ 340 MARINE

☐ 345 MARINE PRODUCT LIABILITY

☐ 350 MOTOR VEHICLE

☐ 355 MOTOR VEHICLE PRODUCT LIABILITY

☐ 360 OTHER PERSONAL INJURY

☐ 362 PERSONAL INJURY - MEDICAL

☐ 365 PERSONAL INJURY - PRODUCT LIABILITY

☐ 368 ABUSE/SEXUAL PERSONAL INJURY

☐ 369 PRODUCT LIABILITY

**TORTS - PERSONAL PROPERTY - 12 MONTHS DISCOVERY TRACK**

☐ 370 OTHER FRAUD

☐ 371 TRUTH IN LENDING

☐ 380 OTHER PERSONAL PROPERTY

☐ 385 PROPERTY DAMAGE PRODUCT LIABILITY

**LABOR - 12 MONTHS DISCOVERY TRACK**

☐ 710 LABOR DISCOVERY TRACK

☐ 715 LABOR STANDARDS ACT

☐ 720 LABOR/GOVT. RELATIONS

☐ 725 LABOR/GOVT. REPORTING ACT

☐ 730 LABOR ACT

☐ 740 RAILWAY LABOR ACT

☐ 750 OTHER LABOR UNION ACT

☐ 760 OTHER LABOR UNION ACT

☐ 770 EMP. RET. INC. SECURITY ACT

☐ 780 TRADEMARK

☐ 790 PATENT

**LABOR - 12 MONTHS DISCOVERY TRACK**

☐ 800 OTHER

☐ 805 OCCUPATIONAL SAFETY/HEALTH

☐ 810 AFFLICTION

☐ 815 RAIL & TRUCK

☐ 820 LABOR LAWS

☐ 825 (PENDING) RETAINED SECURE OF PROPERTY 21 USC 881

☐ 830 FOOD & DRUG

☐ 840 AGRICULTURE

**FOREIGNER/PENALTY - 12 MONTHS DISCOVERY TRACK**

☐ 910 AGRICULTURE

☐ 920 FOOD & DRUG

☐ 925 (PENDING) RETAINED SECURE OF PROPERTY 21 USC 881

☐ 930 LABOR LAWS

☐ 940 RAIL & TRUCK

☐ 950 AFFLICTION

☐ 955 OCCUPATIONAL SAFETY/HEALTH

☐ 960 OTHER

**PRISONER PETITIONS - 12 MONTHS DISCOVERY TRACK**

☐ 965 PRISON CONDITIONS (Filed by Counsel)

☐ 970 CIVIL RIGHTS (Filed by Counsel)

☐ 980 CIVIL RIGHTS (Filed by Prisoner)

☐ 985 PRISON CONDITIONS (Filed by Prisoner)

**PRISONER PETITIONS - 12 MONTHS DISCOVERY TRACK**

☐ 990 HABEAS CORPUS

☐ 995 HABEAS CORPUS DEATH PENALTY

☐ 1000 HABEAS CORPUS

☐ 1010 ACTIONS TO VACATE SENTENCE

**CIVIL**

☐ 141 VOTING

☐ 142 EMPLOYMENT

☐ 143 HOUSING/ACCOMMODATIONS

☐ 144 WELFARE

☐ 145 OTHER CIVIL RIGHTS

☐ 146 AMERICANS WITH DISABILITIES -

☐ 147 AMERICANS WITH DISABILITIES -

**OTHER**

☐ 148 AMERICANS WITH DISABILITIES -

☐ 149 AMERICANS WITH DISABILITIES -

**DEFENDANT**

☐ 170 TAXES (U.S. PLAINTIFF OR DEFENDANT)

☐ 171 IRS - THIRD PARTY 26 USC 7609

**OTHER STATUTES - 12 MONTHS DISCOVERY TRACK**

☐ 400 STATE REAPPORTMENT

☐ 401 BARRS AND BANKING

☐ 402 COMMERCE RATE/ETC.

☐ 403 CERTIFICATION

☐ 404 RACIST/INFLUENCED AND CORRUPT ORGANIZATIONS

☐ 405 CONSUMER CREDIT

☐ 406 CABLE/SATELLITE TV

☐ 407 SELECTIVE SERVICE

☐ 408 CUSTOMER CHALLENGE 12 USC 3410

**OTHER STATUTES - 12 MONTHS DISCOVERY TRACK**

☐ 409 AGRICULTURAL ACTS

☐ 410 ECONOMIC STABILIZATION ACT

☐ 411 ENVIRONMENTAL MATTERS

☐ 412 ENERGY ALLOCATION ACT

☐ 413 FREEDOM OF INFORMATION ACT

☐ 414 APPEAL OF FEE DETERMINATION

☐ 415 UNDER EQUAL ACCESS TO JUSTICE

☐ 416 CONSTITUTIONALITY OF STATE STATUTES

☐ 417 OTHER STATUTORY ACTIONS

**OTHER STATUTES - 12 MONTHS DISCOVERY TRACK**

☐ 418 ANTI-TRUST

☐ 419 SECURITIES/COMMODITIES/EXCHANGE

**OTHER STATUTES - 12 MONTHS DISCOVERY TRACK**

☐ 420 DISCOVERY TRACK

**PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**